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Paper No. 8

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**AUG 07 2002**

**OFFICE OF PETITIONS**

In re Application of  
Pecus et al.  
Application No. 09/960,605  
Filed: September 21, 2001  
Attorney Docket No. 4940/1D

: DECISION GRANTING  
: PETITION  
:  
:

This is a decision on the petition under 37 CFR 1.10, filed July 22, 2002, requesting that the above-identified application be accorded a filing date of September 21, 2001, rather than the presently accorded filing date of September 20, 2001.

Petitioner alleges that the application was deposited in Express Mail service on September 21, 2001. In support of the allegation, the petition is accompanied by a copy of Express Mail label No. EL920636983US. The "date-in" indicated on the Express Mail label is September 21, 2001. Additionally, the Express Mail label contains a United States Postal Service (USPS) stamp of September 21, 2001. The same Express Mail label number was placed on the original application papers located in the official file.

In view of the above, the petition is granted. No petition fee is necessary.

This application file will be forwarded to the Office of Initial Patent Examination **for correction of the filing date to September 21, 2001.**

Telephone inquiries should be directed to the undersigned at (703) 306-5589.

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